IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 1193 of 1989

Date of Decision: 21-07-2005

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GUJARAT STATE ROAD TRANSPORT CORPORATION - Appellant
Versus
PATEL MADHUSUDANBHAI GANESHBHAI & 2 - Defendants

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Coram:

The Hon'ble Mr. Justice Bhawani Singh, Chief Justice

The Hon'ble Mr. Justice H.K. Rathod, Judge

Whether approved for Reporting?

For Appellant:

MR H.C. RAWAL

Respondents served

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PER: BHAWANI SINGH, CHIEF JUSTICE (ORAL):-

After hearing learned counsel for the appellant, we find that the finding of the Claims Tribunal with regard to rash and negligent driving by driver of State Transport bus is established. With regard to assessment of compensation, learned counsel for the

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Whether Reporters of Local Papers may be allowed to see the Judgment?

opponents stated, as recorded in paragraph no.7 of the impugned judgment, that monthly income of the deceased could be assessed at Rs.700/- per month and by application of multiplier of 15, total amount of compensation would be Rs.1,15,000/-. As against this submission, the Tribunal has assessed the compensation at Rs.500/- per month and by applying multiplier 17, since the deceased was 20 year old, total compensation of Rs.1,02,000/-, Deducting Rs.10,000/- for unforeseen expenses and adding Rs.1,000/- for funeral expenses, Rs.400/- for damage to cycle, Rs.5,000/- for loss of expectancy of life and Rs.2,000/- for mental shock, the Claims Tribunal awarded total compensation of Rs.1,00,400/- with interest @ 6% from the date of application till payment. In fact, minimum compensation has been awarded, therefore, interference by this Court is not called for.

Consequently, appeal fails and is dismissed. Compensation be released in favour of the claimants on proper verification. Parties to bear their own costs in this appeal.

(BHAWANI SINGH)
Chief Justice

(H.K. RATHOD)
Judge

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